

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor : **Jordi XAUS PEY, et al.**  
Filed : **Concurrently herewith**  
For : **PROBIOTIC STRAINS, A PROCESS....**  
Serial No. : **Concurrently herewith**

Commissioner for Patents

Washington, D.C. 20231

June 26, 2003

**INFORMATION DISCLOSURE STATEMENT**

SIR:

In order to comply with discretionary regulations 37 CFR 1.97 and 1.98, attached hereto is a copy of Form PTO-1449 and copies of the documents listed thereon. These documents contain information which the Examiner may consider to be important in deciding whether to issue a patent in the instant application.

As this Statement is being filed prior to issuance of a first Office Action, no fee is due.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 as an Examiner might consider any cited document important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner in the normal course of examination, will make an independent search and will

determine the best prior art consistent with 37 CFR 1.104 (a), and in the course of such search will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is respectfully solicited.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,

  
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**INFORMATION DISCLOSURE****STATEMENT BY APPLICANT**

Sheet 1 of 1

Application No. :

Filing Date :

First Named Inventor: J. XAUS PEY

Group Art Unit :

Examiner Name :

Attorney Docket No. : HERR 20.471

**U.S. PATENT DOCUMENTS**

| Examiner Initials | Cite No. <sup>1</sup> | U.S. Patent Document | Kind Code if known <sup>2</sup> | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear |
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**FOREIGN DOCUMENTS**

| Examiner Initials | Cite No. <sup>1</sup> | Foreign Patent Document Office <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup><br>(if known) | Country | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns Lines Where Relevant Passages or Relevant Figures Appear |
|-------------------|-----------------------|--|---------|---|--|---|
|                   |                       | WO 97 46104 A  | PCT     | BIOGAIA BIOLOGICS AB                            | 12-11-1997                                       |   |
|                   |                       |  |         |   |  |   |

**Other Prior Art-Non Patent Literature Documents**

| Examiner Initials | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, country, where published, source. | Applicant check her if English language translation attached |
|-------------------|----------|---|--|
| ✓ 1               |          | PARK YEONG-SOO ET AL. Isolation and Characterization of Lactic Acid Bacteria from feces of newborn baby and from Dongchimi. Journal of Agricultural and Food Chemistry. April 24, 2002. pgs 2531-2536 Vol. 50, No. 9  |  |
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| ✓ 7               |          | XANTHOPOULOS V. ET AL. Differentiation of Lactobacillus Isolates from Infant Faeces by SDS-Page and rRNA-targeted oligonucleotide Probes. Journal of Applied Microbiology. November 1999. pgs 743-749. Vol. 87, No.5  |  |
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|                       |  | JACOBSEN C.N. ET AL. Screening of Probiotic Activities of Forty-Seven Strains of Lactobacillus spp. by in vitro Techniques and Evaluation of the Colonization Ability of Five Selected Strains in Humans. Applied and Environmental Microbiology November 1999. pgs. 4949-4956, Vol. 65, No.11 |  |
|                       |  | LOURENS-HATTINGH ANALIE ET AL. Yogurt as Probiotic Carrier Food. International Dairy Journal. 2001. pgs 1-17, Vol. 11, No.1-2  |  |
| Examiner<br>Signature |  | Date<br>Considered   |  |

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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